

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:  
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## PCT

WRITTEN OPINION

(PCT Rule 66)

Applicant's or agent's file reference <b>3801.P002PCT</b>		Date of Mailing (day/month/year) <b>14 DEC 2001</b>
International application No. <b>PCT/US01/04811</b>		REPLY DUE within 2 months/days from the above date of mailing
International filing date (day/month/year) <b>14 February 2001 (14.02.2001)</b>	Priority date (day/month/year) <b>14 February 2000 (14.02.2000)</b>	
International Patent Classification (IPC) or both national classification and IPC <b>IPC(7): G06F 17/60 and US Cl.: 705/11,26</b>		
Applicant <b>EBAY, INC.</b>		

1. This written opinion is the first (first, etc.) drawn by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:
  - I ☒ Basis of the opinion
  - II ☐ Priority
  - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - IV ☐ Lack of unity of invention
  - V ☒ Reasoned statement under Rule 66.2 (a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI ☒ Certain documents cited
  - VII ☒ Certain defects in the international application
  - VIII ☐ Certain observations on the international application
3. The applicant is hereby invited to reply to this opinion.
 

**When?** See the time limit indicated above. ~~The applicant may, before the expiration of that time limit, request this Authority to grant an extension. See rule 66.2(d).~~

**How?** By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

**Also** For an additional opportunity to submit amendments, see Rule 66.4.  
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.  
For an informal communication with the examiner, see Rule 66.6

**If no reply is filed**, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 14 June 2002 (14.06.2002)

Name and mailing address of the IPEA/US  
Commissioner of Patents and Trademarks  
Box PCT  
Washington, D.C. 20231  
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Authorized officer

Tariq Hafiz

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# WRITTEN OPINION

International application No.

PCT/US01/04811

## I. Basis of the opinion

### 1. With regard to the elements of the international application:\*

- ☒ the international application as originally filed
- ☒ the description:  
 pages 1-12, as originally filed  
 pages NONE, filed with the demand  
 pages NONE, filed with the letter of \_\_\_\_\_
- ☒ the claims:  
 pages 13-16, as originally filed  
 pages NONE, as amended (together with any statement) under Article 19  
 pages NONE, filed with the demand  
 pages NONE, filed with the letter of \_\_\_\_\_
- ☒ the drawings:  
 pages 1-8, as originally filed  
 pages NONE, filed with the demand  
 pages NONE, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
 pages NONE, as originally filed  
 pages NONE, filed with the demand  
 pages NONE, filed with the letter of \_\_\_\_\_

### 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

### 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the written opinion was drawn on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

### 4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages NONE
- ☐ the claims, Nos. NONE
- ☐ the drawings, sheets/fig NONE

### 5. ☐ This opinion has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed."

# WRITTEN OPINION

International application No.  
PCT/US01/04811

## V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. STATEMENT

Novelty (N)	Claims <u>12, 18</u>	YES
	Claims <u>1-11,13-17,19,20</u>	NO
Inventive Step (IS)	Claims <u>12,18</u>	YES
	Claims <u>1-11,13-17,19,20</u>	NO
Industrial Applicability (IA)	Claims <u>1-20</u>	YES
	Claims <u>NONE</u>	NO

### 2. CITATIONS AND EXPLANATIONS

Please See Continuation Sheet

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## VI. Certain document cited

### 1. Certain published documents (Rule 70.10)

Application No

Publication Date

Filing Date

Priority date (valid claim)

Patent No.

(day/month/year)

(day/month/year)

(day/month/year)

US 6,275,811 B1

14 August 2001 (14.08.2001)

06 May 1998 (06.05.1998)

None

### 2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure

Date of non-written disclosure

(day/month/year)

Date of written disclosure referring to  
non-written disclosure

(day/month/year)

**WRITTEN OPINION**

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**VII. Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

Claim 1 recites "for a each user" in the limitation "maintaining a characteristic value for a each user..."

**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

**TIME LIMIT:**

The time limit set for response to a Written Opinion may not be extended. 37 CFR 1.484(d). Any response received after the expiration of the time limit set in the Written Opinion will not be considered in preparing the International Preliminary Examination Report.

**V. 2. Citations and Explanations:**

Claims 1-11, 13-17, 20 lack an inventive step under PCT Article 33(3) as being obvious over Nielsen (Reputation Managers are Happening) in view of Patience (Epinions Lauches Online Shopping Guide Built on Trust) and further in view of Ekstrom (A rating system for AEC e-bidding).

As to claims 1-7 and 13-17, Nielsen discloses epinions.com as a "double reputation system" in which users rate the raters of products. A user contributing a review (a rating) of a product is in-turn rated on the review by other users. Patience discloses Epinions.com "web-of-trust" and establishes a date prior to the priority date of the present invention. "Web-of-trust" is further described by Ekstrom specifically showing in figure 2 on page 17 the hierarchical relationships (an n-ary tree) of a user to a web of users. Nielsen further teaches that Epinions.com uses the web-of-trust to place the most highly rated reviews on top. Thus, the combination of references, all disclosing the web-of-trust feature of Epinions.com, demonstrates a rating of users, relationships between users, and a rating for the user derived from the ratings of other users related to the user through that users web-of-trust. While epinions.com does not buy and sell merchandise, it does, however, buy and sell services, these services being the reviews provided by the users and advertising related to the buying and selling of goods users for which ratings are obtained. The trust relationship from one user to another in the web-of-trust is a form of sponsorship.

As to claims 8 and 9, it is old and well known that in a computer implemented method data structures and pointers would be used to maintain information and relationships.

As to claim 10, it is old and well known that a recursive routine, such as depth-first-search, is an efficient method of programming for operations on a n-ary tree such as depicted for the web-of-trust in Ekstrom (page 17, figure 2).

As to claim 11, it is old and well known that ratings of users in an electronic community may comprise numerical values.

As to claims 19 and 20, it is old and well known that a computer implemented method for implementing the method of claim 1 would inherently comprise a storage device and a processor and a network interface to a communications network such as the Internet.

Claims 12 and 18 the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest a numerical community rating where the characteristic value for each user of the plurality of users that is a lineal descendent of the particular user and the characteristic value of the particular user. The methods of Epinions as taught by Patience and depicted by Ekstrom do not teach the particular mechanism of aggregating the characteristic values in the lineal descendency of the "Web of Trust." While one skilled in the art may anticipate that a computer program implementing a method to produce a rating weighted by a hierarchy of trust

**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

relationships uses numerical data, the prior art of record does not suggest using the data in the manner disclosed by the present invention.

## ----- NEW CITATIONS -----

Patience, Nick. Epinions Launches Online Shopping Guide Built on Trust. Computergram International. 10 Sept. 1999, see pages 1-2.

Nielsen, Jacob. Reputation managers are happening. Alertbox. 5 September, 1999, see discussion on Epinions.

Ekstrom, Martin. A rating system for AEC e-bidding. PhD Dissertation. November 27, 2000 [downloaded from the internet 13.11.2001] from <http://www.stanford.edu/~mekstrom/research/PhDQualifyingDocument.pdf>, see pages 13-17, especially figure 2, page 17.

Epinions.com. What is the Web of Trust. Epinions.com FAQ sheet. Downloaded 11/13/2001 from the internet URL [http://www.epinions.com/help/faq/?show=faq\\_wot#001](http://www.epinions.com/help/faq/?show=faq_wot#001).